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Attorney for plaintiffs

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

CHRISTOPHER N. VISHER and
INHERITANCE LOAN COMPANY, a
California joint venture partnership,

Plaintiffs,

v.

ERIK J. ROSE and INHERITANCE
LOAN, LLC., a Puerto Rican LLC,

Defendants.

No. 3:18-cv-02472-SK

**ORDER GRANTING PLAINTIFFS'
MOTION FOR LEAVE TO TAKE
IMMEDIATE DISCOVERY: AT&T**

Case filed: April 25, 2018
Courtroom: C, 15th Fl.
Hon. Sallie Kim

Good cause appearing therefore, as required by Rules of Federal Procedure Rule 26(d)(1), PLAINTIFFS' MOTION FOR SUPPLEMENTAL EXPEDITED DISCOVERY re: AT&T is **GRANTED**. It is hereby:

ORDERED that Plaintiffs may serve immediate discovery on AT&T, Inc., dba AT&T Communications and AT&T Wireless ("AT&T") to obtain the name and billing address of the subscriber assigned telephone number 415-793-2882 by serving a subpoena pursuant to Rule 45 of the Federal Rules of Civil Procedure requesting subscriber information; provided, however, that said discovery shall be conditioned on: (a) AT&T having seven (7) calendar days after service of the subpoena to notify subscribers that their personal information is sought by

1 Plaintiffs; (b) each subscriber whose information is sought having twenty one (21) calendar days
2 from the date of such AT&T notice to file any papers contesting the subpoena; and (c) payment
3 to AT&T by Plaintiffs of all reasonable costs of: (i) compiling the requested information; (ii)
4 providing pre-disclosure notifications to subscribers; and (iii) all other reasonable costs and fees
5 incurred responding to discovery. AT&T may provide notice using any reasonable means,
6 including but not limited to written notice sent to the subscriber's last known address, transmitted
7 either by first class mail or via overnight service.

8 IT IS FURTHER ORDERED THAT any information disclosed to Plaintiffs in response to
9 the subpoena issued under Rule 45 of the Federal Rules of Civil Procedure may be used by
10 Plaintiffs' solely for the purpose of protecting Plaintiffs' rights as enumerated in the Complaint.

11 IT IS FURTHER ORDERED THAT any subpoena issued pursuant to this order shall be
12 deemed an appropriate court order under 47 U.S.C. § 551.

13 IT IS FURTHER ORDERED THAT good faith attempts by AT&T to notify the
14 subscriber(s) shall constitute compliance with this order.

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16 Date: January 7, 2019
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20 Sallie Kim, U.S. Magistrate Judge
21 U.S. District Court
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